



To: Planning Commission

From: Steve M. Hundley, AICP, Zoning Administrator 

Via: Brandol Harvey, Chief, Planning Division

Date: September 7, 2006

Subject: *Updated Staff Report for SUP 06-004, Clarification* – Special Use Permit application by Four Corners, LLC, for General Office use and/or Studio, Fine Arts use, at 708, 712, and 714 South Main Street in the R-5 Transitional Residential Zoning District.

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The following provides clarification of two requirements of the Special Use Permit for General Office use and Studio, Fine Arts use:

1. The first clarification concerns the garage structure located behind 708 South Main Street. This structure has vehicle access doors that open to a public alley. *"Use of Alleys for ingress and egress to other than single unit residential use shall require a special use permit in all zoning districts"* [Section 5719(a).] The applicant has not requested a special use permit to use the alley for ingress and egress to the requested General Office use or Studio, Fine Arts use. Therefore, vehicle ingress and egress through the garage doors facing the alley is prohibited.

However, the garage sets back from the alley approximately 10 feet and there is a pedestrian access door on the north side of the garage structure. The vehicle doors facing the alley and the side door can be accessed from the 708 South Main lot, without going through the alley. Therefore, the garage structure may be used as an accessory structure for storage for the General Office use or Studio, Fine Arts use, so long as access is not via the public alley. The applicant will be required to block the alley access doors with the 4 foot high architectural screen and a row of small evergreen trees. The conditions are revised in the Planning Commission memorandum to reflect this requirement.

2. The second clarification is with regard to condition number 4. This condition states that *"the building exterior, that is visible from the public right-of-way, shall maintain a residential appearance. Proposed exterior changes are subject to review and recommendation by the Historic or Design Review Board (HDRB), with optional enforcement of HDRB recommendations by the Zoning Administrator."* "Exterior changes" would include major structural changes such as enclosing a porch, changing the exterior material from wood to vinyl, or changing roof material from shingles to a standing seam metal roof, for instance. Condition number 4 of the Planning Commission memorandum is revised to reflect this requirement.

Attachment: Revised Planning Commission memo to Council

Cc: Janet and Gary Buss, Four Corners, LLC



**MEMORANDUM (Revised)**

**TO:** Town Council

**FROM:** Planning Commission

**DATE:** September 7, 2006

**SUBJECT:** SUP 06- 004 – Special Use Permit application by Four Corners, LLC, for General Office use and Studio Fine Arts use, at 708, 712, and 714 South Main Street in the R-5 Transitional Residential Zoning District

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Planning Commission Recommendation: **APPROVAL** with the following conditions:

1. Substantial conformance with Special Use Permit for General Office use and Studio, Fine Arts use application, dated June 9, 2006, and the Four Corners LLC proposed site plan, dated June 9, 2006, revised July 28, 2006.
2. The hours of operation, open to the public, shall be no earlier than 8:00 a.m. and no later than 6:00 p.m., Monday through Friday, and no earlier than 9:00 a.m. and no later than 5:00 p.m. on weekends and holidays.
3. An interior light shall be turned on and off with a timer in each structure during evening hours.
4. The building exterior, that is visible from the public right-of-way, shall maintain a residential appearance. Proposed exterior changes are subject to review and recommendation by the Historic or Design Review Board (HDRB), with optional enforcement of HDRB recommendations by the Zoning Administrator *to maintain a residential character.*
5. Studio, Fine Arts use shall not create noise, dust, odors, fumes, vibrations or other adverse impacts.
6. The existing retaining wall shall be maintained between 706 and 708 South Main Street, and in front of 708 South Main Street as depicted on the proposed site plan.
7. The required architectural screen located between 706 and 708 South Main Street shall be six (6) feet in height from a line parallel to the front building wall to a line parallel to the rear building wall of 706 South Main Street, as depicted on the proposed site plan.
8. Three optional parking spaces located in the northwest corner of 708 South Main Street, as depicted on the proposed site plan, shall be constructed only if needed as determined by the Zoning Administrator.
9. *The existing garage, located on the 708 South Main Street lot, may be used as an accessory storage structure accessed through the side and rear doors from private property only. Access from the public alley is prohibited. The garage doors on the alley shall be screened with one row of small evergreen trees, and a four foot tall architectural screen.*

**For:** Crawford; Lancaster, Lesko; Oliver

**Against:** None

**Abstain:** None

**Absent:** Howard; Jones

In so recommending approval of this Special Use Permit, the Planning Commission finds the request to be in conformity with the Comprehensive Plan and have minimum adverse impact on the surrounding neighborhood or community.



## RESOLUTION 9-D-06

A RESOLUTION TO GRANT A SPECIAL USE PERMIT TO FOUR CORNERS, LLC, TO ALLOW GENERAL OFFICE USE AND STUDIO, FINE ARTS USE IN THE R-5, TRANSITIONAL RESIDENTIAL DISTRICT, AT 708, 712 AND 714 SOUTH MAIN STREET

WHEREAS, the applicant, Four Corners, LLC, has applied to this Council for a special use permit to allow General Office use and Studio, Fine Arts use in the R-5, Transitional Residential District, at 708, 712, and 714 South Main Street; and

WHEREAS, this Council after notice and public hearing thereon, has considered the application in light of its conformity with the Town's Comprehensive Plan, its harmony with the purposes and standards of the Zoning Ordinance, its compatibility with permitted and existing uses, and purposes and conditions of the relevant zoning district, and its impact on the surrounding neighborhood.

THEREFORE, BE IT RESOLVED by the Council of the Town of Blacksburg that:

1. Based on the above considerations, this Council makes the following findings: (a) this request as submitted or modified does conform to the Town's Comprehensive Plan, or to specific elements of such plan and to official policies adopted pursuant thereto, including the purposes of the Zoning Ordinance, as set out in §1102 thereof; (b) this request shall not have an undue adverse impact on the surrounding neighborhood, in terms of public health, safety or general welfare; and (c) this request is in conformity with the applicable performance standards set forth in the Zoning Ordinance.

2. This Council grants to Four Corners, LLC, a special use permit to allow a General Office use and Studio, Fine Arts use in the R-5, Transitional Residential District, at 708, 712, and 714 South Main Street subject to the following conditions:

(a) Substantial conformance with the special use permit for General Office use and Studio, Fine Arts use application dated June 9, 2006, submitted by Four Corners, LLC, and the proposed site plan dated June 9, 2006, and revised July 28, 2006.

(b) Any office or studio shall be open to the public no earlier than 8:00 a.m. and no later than 6:00 p.m., Monday through Friday, and no earlier than 9:00 a.m. and no later than 5:00 p.m. on weekends and holidays.

(c) Using a timer, an interior light shall be turned on in each primary structure at dusk and turned off at 10 p.m.

(d) To maintain the residential character of the neighborhood, building exteriors visible from the public right-of-way shall be maintained in their current residential appearance. If exterior changes to these structures are proposed that require building permits, the Historic or Design Review Board shall review the permit applications and make advisory recommendations concerning building form and size, as well as architectural elements. The Zoning Administrator may require compliance with Board recommendations necessary to maintain the character of the neighborhood.

(e) The studio use shall not create noise, dust, odors, fumes, vibrations or other adverse impacts.

(f) The existing retaining wall shall be maintained between 706 and 708 South Main Street, and in front of 708 South Main Street, as depicted on the proposed site plan.

(g) The required architectural screen located between 706 and 708 South Main Street shall be six (6) feet in height, running from a line parallel to the front building wall of 706 South Main Street to a line parallel to the rear building wall, as depicted on the proposed site plan.

(h) Three optional parking spaces located in the northwest corner of 708 South Main Street, as depicted on the proposed site plan, shall be constructed only if the Zoning Administrator determines that the uses require additional parking.

(i) The existing garage located on the 708 South Main Street lot may be used as an accessory storage structure. Access from the public alley is prohibited. The garage doors on the alley shall be screened with one row of small evergreen trees and a four (4) foot tall architectural screen.

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Mayor

ATTEST:

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Town Clerk

Date of Adoption: \_\_\_\_\_